



Benton County Planning Board

Public Hearing

Technical Advisory Committee Meeting

April 4, 2012

MEETING MINUTES

PUBLIC HEARING

Meeting convened at 6:00pm

Roll Call: Present: Lane Gurel, Ken Knight, Starr Leyva, Jim Cole, John Pate and Cindy Jones. Absent: Mark Curtis.

Disposition of Minutes from 3/21/2012. Jim Cole noted an error that was to be corrected. He moved that the minutes be approved with the correction; Ken Knight seconded the motion. The minutes were unanimously approved.

Mr. Gurel stated Cindy Jones is going to work for the County Roads Department. Ms. Jones will no longer be able to serve on the Board due to her appointment. Mr. Gurel thanked Ms. Jones for her service.

New Business:

Piney Point Volunteer Fire Department--LSD, Project # 12-172—JP District 01, 22050 E Hwy 12

Staff noted that the subject parcel is surrounded by existing wooded residential areas and open wooded land which is across the highway to the west. Good access is available along Highway 12 in two existing driveways.

This project was represented by Mr. Will Hanna, former Fire Marshall for Benton County. Mr. Hanna asked that the fee for a Large Scale Development be waived for the Piney Point Volunteer Fire Department. Mr. Hanna then discussed the history of the project. The Arkansas Forestry Administration and the Piney Point Fire Department seek approval for a mobile office unit and a pole barn to house heavy equipment on the grounds of the Piney Point Fire Department. Mr. Hanna stated the Arkansas Forestry Administration has already moved a trailer to the site. This trailer is used on a part-time basis for administrative tasks. The previous location of the mobile office was near Centerton. After a review, Mr. Hanna stated the need by the Forestry Administration for a location closer to the majority of fires in the area and closer to the lake. It was determined that the best location was the Piney Point Fire Department site. In addition to the mobile trailer for the Forestry Administration, the Piney Point VFD found that they also needed to site a shed for equipment on the property. No approval for the mobile office unit that was placed on the property had been sought and this was an oversight. The trailer is currently in place and connected to an existing septic system. The County Health Department has inspected the site. There are two employees that will use the trailer on a part-time basis. The second part of the request is for the erection of a pole barn to house heavy equipment for the Fire Department. The project meets all setback requirements.

Staff Comments: The applicant did provide an updated vicinity map. Staff also suggests that the waiver of the application fee for the project be voted on by the board. Staff recommends the following stipulation be included in approval of the project; the applicant shall adhere to the requirement noted in the Health Department letter which states, "if a malfunction of the septic system occurs, the Piney Point Fire Department will be responsible for obtaining a permit to repair or upgrade the system"

Applicant Comments: None

Board Comments: Mr. Gurel asked what the purpose of the mobile trailer is. Mr. Hannah stated it is a mobile office used for the occasional use of the state forestry commission; personnel go there approximately twice a week to do paper work.

Mr. Gurel asked if the adjoining property owners were notified of the project. Mr. Hannah stated that surrounding property owners were notified.

Mr. Gurel asked if there were any additional comments, or questions by the Board. Mr. Knight stated that as to the waiver; it is a volunteer fire department and not a commercial establishment and as such he supported the waiver. Mr. Gurel stated the board had a history of waiving the fee for other volunteer fire departments in the past.

Public Comment: None

Jim Cole moved to approve the project as submitted with the following stipulation: The applicant shall adhere to the requirement noted in the Health Department letter which states, *"If a malfunction of the septic system occurs, the Piney Point Fire Department will be responsible for obtaining a permit to repair or upgrade the system."* Ken Knight seconded the motion. Members voting to approve—Jim Cole, Starr Leyva, Ken Knight, John Pate, and Lane Gurel. Motion carried 5-0-0.

TECHNICAL ADVISORY COMMITTEE

New Business:

Allen's Country Plant Addition, LSD, Project # 12-175—JP District 13, 14961 Readings Road

Mr. Gurel stated that staff felt the project application was not complete and rather than wait until the submittal is complete to come in and talk about it, there didn't seem to be any problem in going ahead and discussing the project. Mr. Gurel stated that the project would not be ready to go to the public hearing at our next meeting, and so notification of adjoining property owners can be held for the next TAC meeting.

Representative Jeff Bates apologized and stated that they are aware of that and noted that it is a pretty complicated project. Mr. Bates said that he will work to get everything together and develop the application and plans. They also noted that they are trying to work with Siloam Springs and the gas company before coming back.

Mr. Gurel stated that it doesn't hurt to go through more than one TAC meeting.

Description of Property/Proposal

Staff noted that the subject property is an existing industrial plant canning operation located on two parcels totaling 132.93 acres. The plant has an off-site process water/storm water treatment plant and retention pond south of the subject parcels. Existing parking, truck scales, and other storage buildings and pump house on the site. The parcels are surrounded by lands owned by Allen Canning. The area is open pasture/fields. The existing Clear Creek main flow moves directly under the existing plant and goes through the existing facility.

Existing county roads surround the site on three (3) sides including Readings Road, Water Tower Road, and Fire Hydrant Road. Subject parcels are surrounded by lands owned by Allen's Canning. Staff noted that this should be indicated on the plans. The land use in the area is open pasture/fields.

Clear Creek main flow moves directly under the existing plant and goes through the existing facility.
Parcel Size(s): 132.93 acres total (2 parcels) Current Land Use: Industrial Canning Plant.

Proposed Land Use:

The applicant proposes a large expansion of plant warehouse, relocation of portions of roads and utilities. Specifically the applicant proposes to develop a new commercial Building (205,000 s.f. warehouse and loading dock addition). The addition is proposed to be connected to the southwest corner of the existing building complex adjacent to the existing Water Tower Road. Additionally, the applicant is proposing eighteen (18) new loading docks on the north side of the proposed addition plus a large concrete pad and concrete service drives around the proposed addition.

Staff Comments:

Mr. Ryan stated that the application was incomplete and lacked signatures from the Allen Canning property owners. There are also numerous amendments to the plan that are required which are listed in the planning report. The Board indicated that staff did not need to read each of the necessary amendments. Mr. Ryan also noted that the applicant may need one waiver and one variance or lot line adjustment. Staff recommended that the Board continue the technical review to the following Planning Board meeting to allow the applicant and consultant an opportunity to provide a completed application, revised plans, and other documents regarding the proposed project.

Applicant Comments:

Mr Gurel asked if the applicant felt two weeks were enough to complete the project. Mr. Bates stated that most of the comments were minor and most of them will go on a cover sheet. He indicated that it's just more information, mostly parking, and didn't see any "deal killers". He stated that he had a few questions regarding the status of the roads indicated by staff. He felt that most of the roads were not county roads including Fire Hydrant Road or Water Tower Road. He indicated that these roads are blocked off with a gate and you have to go to the guard to get to it. He was under the impression those were for fire safety and were private roads for Allen Canning. Mr. Bates said Readings Road is a county road and it goes right up to the plant and behind some more residences. He also stated that Allen Canning owns all adjacent properties thus claimed that there are no abutting property owners to notify.

Board Comments:

Mr. Gurel asked if because the building that's proposed would go on to a new parcel does the new parcel have any adjoining property owners that aren't already Allen canning. Mr. Bates stated it's not going to matter since it is all one property owner so it would be fairly easy to do, whatever is easiest for the County on that process.

Mr. Gurel stated that there is still survey work to be completed. He mentioned that the new addition crossed over a parcel line. Staff suggested that the applicant can combine the two parcels together or do a lot line adjustment. Mr. Gurel stated that it seems like combing the parcels is a better way to do it, and that way the building doesn't cross any lines. Mr. Gurel suggested the surveyor, in completing the survey work that is needed, could at the same time do whatever the applicant's preference was. Mr. Bates agreed with Mr. Gurel.

Mr. Bates stated that he would have to contact Blue and Associates, who did an earlier survey of a different part of the property, in order to get a survey for the entire property. Mr. Bates will need this in order to show the entire property and the parking table included in the earlier Blue and Associates survey. Mr. Bates also indicated that left the plans incomplete since they did not want to include more than necessary for their client. He stated that all of the parking is on the other side and it's just a warehouse. No parking will be required for the warehouse. It is a secured facility. You have to go through the guard gates just to get to it.

Mr. Bates asked how he could find out if roads were county or private, stating that he did not know where to find such information. Mr. Ryan stated that staff had not started that investigation, but that staff will be attempting to clarify this issue. Mr. Ryan stated that he believed that possibly the County and Allen Canning had previously discussed the roads issue.

Mr. Bates stated that it was his understanding that basically this building is a 2 ½ acre building on concrete and it has to be flat to match the elevation of the other plant. There is a mountain behind it and it's about 86 feet to cut. It's all red dirt and he believes Allen Canning is giving the red dirt to the County to use. He understood that the county is taking that hillside out as needed to use on street projects and other needs for fill dirt.

Mr. Bates indicated that the road behind the present plant is not connected to Readings Road. He said that it is a private road used for plant trucks only. Behind the building is a parking area. He stated that Readings Road goes to the parking area and turns and goes to the right side of that pond. Fire Hydrant Road is used only for fire access. Mr. Ryan asked if Readings and Fire Hydrant are public or private. Mr. Bates indicated that he believed they were both private roads. Mr. Bates would clarify the roads status before the next meeting.

Mr. Knight discussed the entrance to Route 412 and that while it is not part of the project; it has been discussed before in relation to this property. He said that an adequate entrance ramp onto 412 does not exist. Mr. Knight suggested that an acceleration ramp may be needed for access to highway 412 for safety reasons in response to their expansion.

Mr. Gurel asked what the purpose of the warehouse is. Mr. Bates stated it was for storage. Mr. Gurel asked if there would be increased production. Mr. Bates indicated that the building would just be used for storage with no production activity. Mr. Gurel then stated that the Planning Board is going to want to know if there would be increased truck activity and traffic over the roads, and separately if there is an increase in employees and how many? He also discussed the need for more parking. Mr. Gurel noted that if the addition is just storage then a few additional parking spaces is going to be fine, but if Allen's hiring another 100 people then parking will be needed to accommodate them. A parking table should be indicated on the plans.

Mr. Ryan asked Mr. Bates about the previous Allen Canning project. He asked if a building permit for new warehouse space issued and if that use would be changing? Mr. Ryan also asked that if the structure is no longer necessary are they going to be shifting any other types of uses into the new building and is the old warehouse area going to be used for something else such as in manufacturing or offices, if so then that will raise the question of additional parking. Mr. Bates indicated he would talk to the plant representative in order to determine present and new uses for all warehouse space.

Staff updates:

Mr. Ryan introduced a first draft of the Planning Board bylaws update. It was recommended that it be an agenda item on the next meeting of the Board. Mr. Ryan recommended that the County Attorney review the bylaws draft.

The IT Department gave a primer on how to utilize Dashboard from home. Instructions were also included in the packets.

Mr. Ryan discussed a draft of the Planning Board decision letter and stated that he would like to use this format for all future decisions. Mr. Ryan stated that the focus of the letter was on the stipulations and contained two additional sections. Also included were a set of standard conditions for all cases, things that will not change, then stipulations specific to this case, and then at the end, reasons for decision that are tied in to the regulations themselves.

The Board asked Chris Ryan to get an opinion on the draft of the proposed Decision Letter. Mr Ryan agreed to do so. It was recommended that the County Attorney take a look at the letter and that it be discussed at a later date.

The meeting was adjourned at 7:08 pm.